IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION LD.NO.3147 OF 2004

Jai Bhavani Security Services India Pvt. Ltd. ... Petitioner.

Vs.

The Chief Officer, the Maharashtra Housing and Area Development Board & Ors. ...Respondents.

....

Mr. S. Udeshi i/b. M/s.Sanjay Udeshi & Co. for the Petitioner.
Mr.R. M. Sawant, Govt. Pleader for Respondent Nos.1, 2 & 6.
Mr.R. D. Suvarna for Respondent No.3.
Mr. V.Y. Sanglikar for Respondent No.4.
Mr. A.C. Singh for Respondent No.7.

.....

CORAM : DALVEER BHANDARI, C.J. &
DR.D.Y.CHANDRACHUD, J.

December 2, 2004.

P.C.:

The Petitioner's case had been considered for the award of the work and the cases of the other Agencies were also considered. On evaluation of the tender documents, the MHADA authorities found that (i) Bombay Intelligence Security (India), Respondent No.3; (ii) M/s. Vishal Protection Force, Respondent No.4; and (iii) M/s. Singh Security Services, Respondent No.5 are better equipped to discharge the function of the Security Guards and awarded the work to them. The learned counsel appearing for Respondent Nos.1 and 2 mentioned that the Petitioner could not be considered because in Statement No.4, wherein a list of the

machinery available with the bidder was required to be given such as Arms, Walkie talkie, Jeep etc., the Petitioner has mentioned in column No.7 that they have got only one Gun. Obviously with one Gun, adequate security cannot be provided. Apart from that, a Solvency Certificate of Rs.10 lakhs was produced against the required Solvency Certificate of Rs.5 crores as per the terms and conditions. The Petitioner has also not furnished affidavit stating that no penal action has been imposed on the Agency though it was required by Respondent Nos.1 and 2. The Petitioner has not been awarded work on valid considerations. The petition being devoid of any merit, is accordingly dismissed.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.